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Letter dated 10 October 2017 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the comments and observations of the Islamic Republic of Iran on the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran (A/72/322 and Corr.1) (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 72 (c).

(*Signed*) Gholamali **Khoshroo**
Ambassador
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Annex to the letter dated 10 October 2017 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Comments and observations of the Islamic Republic of Iran on the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

1. The most recent report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran (A/72/322 and Corr.1) yet again attests to the application of selectivity, double standards and political manoeuvring in the field of human rights. It vividly reveals the fact that the United Nations human rights machinery continues to be manipulated and politicized by certain countries for their ill-intended and narrowly defined political interests. The initial mandate of the Special Rapporteur and the ensuing reports further erode the legitimacy, credibility and integrity of the United Nations human rights mechanisms, thereby making them even less relevant. Except for mere political considerations, there are no plausible grounds for producing four practically identical reports each year on the situation of human rights in the Islamic Republic of Iran. Furthermore, duplication neither substantiates nor gives credibility to the non-objective and prejudiced allegations contained therein.

2. The legitimacy and security of the Islamic Republic of Iran are driven by the voice and votes of its people. This is validated by the democratic and dynamic environment that exists within Iranian society. During the past four decades, the people's voice and choice, as expressed through ballots, has consistently guided the country's direction in both internal and foreign affairs. Essentially, ballot boxes and the people's will, being central to Iran's vibrant social and political life, continue to govern its peaceful and democratic processes and raise the level of transparency and accountability within the country.

3. The people of Iran once again freely and peacefully chose their destiny in May 2017, in the twelfth democratically held presidential elections. The landslide re-election of President Rouhani, who campaigned on a platform that involved a strong human rights component, further reinforced the genuine will of the Government to promote and protect human rights at home while extending its hand for constructive dialogue abroad.

4. Yet against this backdrop, Iran annually becomes the target of a politicized charade. Abusing the issue of human rights to impose pressure on a nation that has chosen independence over yielding to interference is reprehensible. This confrontational approach exploits human rights for political purposes and has proved to be detrimental to human rights, as well as to the prospects of furthering dialogue and understanding. Few would accept this approach as an attempt to protect and promote human rights.

5. Regrettably, the most recent report of the Special Rapporteur only echoes the same counterproductive and futile practice developed on the basis of an ill-intended and politically motivated mandate, permeated with prejudiced and subjective assumptions that have further worn its credibility. Moreover, the basic principles of impartiality and professionalism that are the main pillars of the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, contained in Human Rights Council resolution 5/2, are disregarded to a large extent. Unsurprisingly, a prejudiced mandate has brought about a biased outcome. Indeed, the entirety of the report, which presents a distorted and erroneous image from the real situation on the ground, is objectionable.

6. While the report recognizes the attachment of Iranians to democracy and human rights, it avoids acknowledging the fact that the political system as a whole is behind this native and progressive process. The report misses the point that the open, peaceful and yet hotly contested presidential and municipal council elections held in May were made possible with the unequivocal backing of the entire political establishment. The Government truthfully views the protection of and respect for all human rights of its citizens as indispensable to ensuring its national security, prosperity and longevity.

7. Taking a selective approach in the report on the human rights of Iranians is thought-provoking. It is expected that reports of this nature are all-inclusive and address all human rights of Iranians without distinction. However, the author has opted to be as selective as the mandate itself. For instance, the impact of the bigoted Muslim ban imposed by the US administration on the basic human rights of affected Iranian citizens is not even touched upon. On a more serious note, the imposition of illegal and unilateral sanctions against Iranians under dubious pretexts by the United States were not considered important enough to be even mentioned in the report. Who can deny the substantive impact of such indiscriminate and inhumane sanctions on the basic economic and social rights, as well as the right to development, of ordinary Iranians? One may only assume that the authors of the report have little interest in the well-being and human rights of the general public in Iran.

8. A considerable portion of the report is assigned to defending the rights of those who have committed heinous crimes with no mercy and violated the human rights of innocent Iranian citizens. Victims of the crimes committed by murderers, armed drug dealers, terrorists, organized gang leaders and spies have, therefore, the right to question the veracity and credibility of the report. Its persistence in disparaging the Government's decisiveness and dedication in protecting people's safety and security is staggering.

9. The report simply disregards the 17,000 Iranians who have fallen victim to the terrorist activities of a recognized terror cult with a dark history of intimidation and violence. Members of the said notorious organization cold-bloodedly bombed public buses, crowded streets and packed mosques during the 1980s. They even betrayed their own compatriots by bonding with Saddam Hussein during his imposed war against Iran. It is disappointing that the author of the report completely ignores the plight and grievances of the families of the victims who were silenced forever as a result of their terror and bombs. In fact, the mandate does not qualify the authors to imbue the report with arbitrary judgments or preferences.

10. The appreciation for and recognition of ethnic, linguistic or religious minorities is an outstanding characteristic of Iran's past and present. For thousands of years, Iran has been a safe haven for minorities. Iran is a country formed by ethnic and religious minorities. It is safe to say that every Iranian belongs to a minority group, and we cherish this fact. However, the fabrication of non-existent situations in the report, implying division and intolerance in society, is absurd. Of course, everyone, regardless of religion or ethnicity, is expected to be equal before the law. Belonging to a minority cannot and should not afford impunity to any violator. Moreover, activities that run counter to the objectives and principles of the Charter of the United Nations and the principles of international law, including engagement in acts of terrorism or secessionist activities, cannot be concealed behind the pretext of human right activism. No one is above the law, and nothing offers impunity to the individuals who violate it.

11. Followers of all faiths enjoy equal freedom to worship and are protected in Iran. Should leaders in a given case order their followers to adhere to rules that

make them akin to agents of secret organizations rather than a benign faith, the Government cannot be expected to remain indifferent to the harm that activities of such organizations that are headquartered outside Iran (including in occupied Palestine) may cause. After all, the world has widely experienced, time and again, the terrible consequences of faiths or religions being turned into or exploited as clandestine entities.

12. While hundreds of thousands of Iranians with dual nationality regularly travel to their home country, the report intentionally ignores the fact that a few Governments, in particular that of the United States, continue to systematically exploit the vulnerabilities of their citizens with Iranian backgrounds. Instead of making misplaced judgments, it was expected that the report would call for an end to the abuse of these individuals by Governments that are engaging them in suspicious activities against Iran's national security. It is regrettable that the author chose once more to target the Iranian Government for its attempt to ensure the security of its citizens against external interference.

13. In addressing Iran's exceptional situation on the front line of countering the world's illicit drug trafficking, the report seems to side with the drug traffickers, who are typically armed and linked to transnational organized crime and terrorist networks. The report is not at all concerned with the members of the young generation whose lives are being utterly destroyed by the evils of addiction or the family members of thousands of police officers who were brutally murdered or maimed by armed drug traffickers. While it should be noted that drug users are not criminalized in Iran and may receive medical support and treatment, capital punishment for the trafficking of large quantities of drugs that regularly involves live arms is sanctioned by law. Nonetheless, the legislature has recently reviewed and evaluated the deterrence value of the national drug policy and accordingly revised the law so that the punishment would be applicable only to high-calibre criminals.

14. Specific cases have been raised in the report and have been responded to in detail separately. However, the gravity of such cases is not so much greater than that of similar ones in most countries as to warrant country-specific reports or resolutions. No country can claim to be perfect; neither does Iran. The Government has shown its eagerness to address all possible excesses that may occur and that are regrettable on their own. There is also always room to improve laws to the extent that they do not contradict the social norms acceptable to citizens. Obviously, no country could or should be expected to abandon its way of life only to appease a few who wish to impose their own. In fact, the cornerstones of our laws and regulations are shared by almost all countries in our region and by other Muslim countries as well. Therefore, their foundation and application are not exclusive to a single country or even a single region.

15. The Islamic Republic of Iran remains committed to cooperating with the universal periodic review mechanism and with all bodies of treaties to which it is a party, as well as with the Office of the United Nations High Commissioner for Human Rights. Even though Iran continues to strongly denounce the appointment of the country-specific Special Rapporteur and views it as a harmful measure against constructive dialogue and cooperation, it has extended an invitation to three thematic Special Rapporteurs, which is due to be finalized in 2017.

16. In the joint effort of Iranians towards further promoting and respecting human rights, only one authoritative stakeholder exists: the Iranians themselves. There is no room for external players, especially those who have no genuine intention of contributing to the noble cause of human rights. Countries that have flatly failed to uphold basic human rights in their own societies and abroad, whose communities

are awash with racism, xenophobia, Islamophobia and torture, have no moral authority to lecture a country that earnestly believes in the imperative of human rights. Manipulative approaches can only distort and even defeat genuine home-grown processes. Nevertheless, to enhance the credibility of the human rights discourse, we welcome respectful dialogue without recrimination and seek meaningful engagement with serious partners. Obviously, this report does not serve such a purpose.